

AN ORDINANCE

97807

AUTHORIZING EXECUTION OF A RENEWAL AND EXTENSION OF LEASE AGREEMENT (INCORPORATING AMENDMENT TO LEASE AGREEMENT) BETWEEN THE CITY OF SAN ANTONIO AND THE UNITED SERVICES ORGANIZATION COUNCIL OF METROPOLITAN SAN ANTONIO, TEXAS (U.S.O.), A TEXAS NON-PROFIT CORPORATION, AS TENANT, FOR THE USE OF 10,444 SQUARE FEET IN THE RIVERBEND GARAGE FOR A THREE (3) YEAR TERM EFFECTIVE MARCH 1, 2003 WITH NO RENT AND COSTS OF COMMON AREA MAINTENANCE (CAM) CHARGES DUE FROM THE U.S.O., SUBJECT TO ANNUAL APPROPRIATION OF FUNDS FOR SUCH RENT AND CAM CHARGES IN FUTURE CITY OF SAN ANTONIO FISCAL YEARS AFTER SEPTEMBER 30, 2003, IN CONSIDERATION OF THE BENEFITS DERIVED BY THE CITY FROM SERVICES PROVIDED TO THE ARMED FORCES BY THE U.S.O, BUT WITH THE U.S.O. PAYING CHILLED WATER COSTS OF 5¢ PER SQUARE FOOT FOR ITS PROPORTIONATE SHARE OF SUCH COSTS PER MONTH THROUGH FEBRUARY 28, 2006 AND ALL OPERATING COSTS, WITH AN OPTION TO RENEW AND EXTEND THE LEASE TERM AN ADDITIONAL THREE YEARS, SUBJECT TO SUCH ANNUAL APPROPRIATION AND SUBJECT TO CITY COUNCIL APPROVAL.

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WHEREAS, Ordinance Number 68560, passed and approved on December 22, 1988, authorized the original Lease Agreement between the City of San Antonio and the United Services Organization Council of Metropolitan San Antonio, Texas (U.S.O.), a Texas Non-Profit Corporation, for use of approximately 10,444 square feet of gross leaseable floor area within the Riverbend Parking Garage, located on Lots 1 through 3, and Lots 6 through 9, New City Block 160, San Antonio, Bexar County, Texas; and

WHEREAS, the U.S.O. has timely requested that the City renew and extend the term of the Lease Agreement three years, effective March 1, 2003, with no rent and costs of Common Area Maintenance (CAM) charges due from the U.S.O., subject to annual appropriation of funds for such rent and CAM charges in future City of San Antonio fiscal Years after September 30, 2003; with an option to renew and extend the Lease Term for an additional three years, subject to such annual appropriation of funds and subject to City Council approval; and

WHEREAS, in consideration of the benefits derived by the City from services provided to the Armed Forces by the U.S.O, the City is agreeable to the U.S.O. not paying rent and CAM charges, however, the U.S.O. will pay chilled water costs of five cents per square foot for its proportionate share of chilled water costs per month through February 28, 2006, and all operating costs; and

WHEREAS, this Ordinance is consistent with City policy to maximize the use of the street level space in parking garages; **NOW THEREFORE**,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Execution is hereby authorized by the City Manager or her designee of a Renewal and Extension of Lease Agreement (Incorporating Amendment to Lease Agreement), renewing and extending for three years, effective March 1, 2003, the term of that certain Lease Agreement between the City and the United Services Organization Council of Metropolitan San Antonio, Texas (U.S.O.), a Texas Non-Profit Corporation, as Tenant, for use of approximately 10,444 square feet of gross leaseable floor area within the Riverbend Parking Garage, located on Lots 1 through 3, and Lots 6 through 9, New City

Block 160, San Antonio, Bexar County, Texas, such Lease having been originally approved by Ordinance Number 68560, passed and approved on December 22, 1988.

SECTION 2. A copy of such Renewal and Extension, executed on behalf of the U.S.O, is affixed hereto as Attachment I and incorporated herein verbatim for all purposes and under the the terms of such Renewal and Extension, the City agrees that in consideration of the benefits derived by the City from services provided to the Armed Forces by the U.S.O. no rent and costs of Common Area Maintenance (CAM) charges will be due from the U.S.O., subject to annual appropriation of funds for such rent and CAM charges in future City of San Antonio fiscal Years after September 30, 2003; however, the U.S.O. will pay chilled water costs of five cents per square foot for its proportionate share of chilled water costs per month through February 28, 2006, and all operating costs and the City also agrees to an option to renew and extend the Lease Term for an additional three years, subject to such annual appropriation of funds and subject to City Council approval.

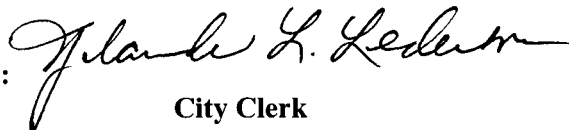
SECTION 3. The proceeds of this agreement shall be deposited into Fund 53-004000 entitled "Parking Fund," Index Code 041285, entitled, "USO Lease - Riverbend Garage" and Fund 53-004000 entitled "Parking Fund," Index Code 071662, entitled, "Recovery of Current Year Exp - Riverbend."

SECTION 4. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific index codes and fund numbers as necessary to carry out the purpose of this Ordinance.

SECTION 5. This Ordinance shall be effective on June 29, 2003.

PASSED AND APPROVED June 19, 2003..

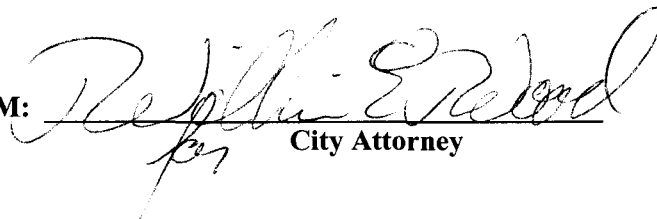
ATTEST:


City Clerk


M A Y O R

EDWARD D. GARZA

APPROVED AS TO FORM:


City Attorney